



Panama

Country Reports on Human Rights Practices - [2003](#)

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Panama is a representative democracy with an elected executive composed of a president and 2 vice presidents, an elected 71-member unicameral legislature, and an appointed judiciary. In 1999, voters elected President Mireya Moscoso of the Arnulfista party. The Constitution provides for an independent judiciary; however, the judicial system was subject to corruption and political manipulation.

The country has had no military forces since 1989. The Panamanian Public Forces consist of the Panamanian National Police (PNP), the National Maritime Service (SMN), the National Air Service (SAN), and the Institutional Protection Service (SPI). A 1994 constitutional amendment formally prohibits the establishment of a permanent military, although it contains a provision for the temporary formation of a "special police force" to protect the borders in case of a "threat of external aggression." The Ministry of Government and Justice oversaw the PNP, the SMN, and the SAN; the Ministry of the Presidency supervised the SPI. Police forces responded to civilian authority, had civilian directors, and had internal review procedures to deal with police misconduct. There were occasional reports of abuse by some members of the security forces.

The economy, which uses the U.S. dollar as currency (calling it the Balboa), was based primarily on a well-developed services sector that accounted for approximately 79 percent of gross domestic product (GDP). The country had an estimated population of 2.9 million. GDP growth was negligible for the past 3 years, poverty worsened, and income distribution remained highly skewed, with growing disparities between rich and poor. Unemployment was officially estimated at 13.2 percent; however, private economists believed that it might be several points higher.

The Government generally respected the human rights of its citizens; however, there continued to be serious problems in several areas. Overall prison conditions remained harsh, with reports of abuse by prison guards and regular outbreaks of internal prison violence. Prolonged pretrial detention was a problem. The judiciary was subject to political manipulation, and the criminal justice system was inefficient and often corrupt. There were complaints that in some cases police failed to follow legal requirements and conducted unauthorized searches and monitored communications. The media were subject to political pressure, libel suits, and punitive action by the Government. Women held some high positions in Government, including the presidency; however, discrimination against women persisted, and violence against women remained a serious problem. Discrimination against indigenous people and ethnic minorities continued to be a problem. Worker rights were limited in export processing zones and among government workers. Child labor and trafficking in persons were problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

At year's end, a court case was pending and the investigation continued into the July 2002 killing of a 13-year-old indigenous Wounaan girl, Aida (or Ayda) Chirimia, in the Darien village of Biroquera, reportedly within the local national police compound.

In 2001, the bodies of two men were found on the beach in Punta Chame. Their deaths were linked to two off-duty PNP officers who were dismissed and detained. An investigation into the killings, conducted by the Fourth Superior

Prosecutor, continued at year's end; the PNP officers remained in jail.

In April 2002, the Truth Commission established in 2001 to investigate killings and disappearances believed to have occurred under the 1968-89 military dictatorship released its final report to President Moscoso and Attorney General Sossa. Among the cases investigated was that of an unmarked grave discovered in 1999 on the grounds of a former military base near Panama City that contained the remains of leftist leader Heliodoro Portugal. In mid-year, the Second Superior Tribunal dismissed charges against nine members of the former National Guard, including captains Rigoberto Garibaldo, Aquilino Sieiro, and Moises Correa, for their alleged roles in the Portugal case. The court ruled that a 20-year statute of limitations applies to murder cases (Portugal was killed in the early 1970s). The ruling can be appealed to the Supreme Court.

Guerrillas from the terrorist organization Revolutionary Armed Forces of Colombia (FARC) and other Colombian armed groups operated along the border with Colombia and made occasional incursions into the country. In January, four indigenous leaders of the border town of Paya were killed by a group of insurgents from Colombia, reportedly members of the United Self-Defense Forces of Colombia (AUC) terrorist organization.

b. Disappearance

There were no reports of politically motivated disappearances.

In December 2002, the head of the Truth Commission asked the Attorney General to reopen investigations into four additional disappearances from the late 1960s and early 1970s. During the year, the Truth Commission remained active and the Government considered its recommendations.

The Hector Gallego Committee for Disappeared Relatives maintained a list of 120 persons who disappeared during the military dictatorships and who remained missing.

FARC guerrillas (and possibly other Colombian armed groups) engaged in occasional kidnappings of persons along the border with Colombia, and sometimes deeper into Darien Province; they also harassed and raped residents in that province. Indigenous populations living in remote areas, away from state control, were especially vulnerable to these attacks.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the use of measures that could harm the physical, mental, or moral integrity of prisoners or detainees, and the public security forces generally performed in a professional and restrained manner. However, there was at least one reported case of excessive use of force against prison inmates during the year, and abuse by prison guards was an occasional problem. The General Penitentiary Directorate (DGSP) asserted that the problem had been reduced and that only minor incidents occurred.

During the year, police generally exercised restraint in their treatment of street protesters. In September, there were large protests and demonstrations in Panama, Colon, David, and other cities regarding the social security system. Police used tear gas and rubber bullets, arrested 20 people, and reported 14 people injured (see Section 2.b.).

Prison conditions remained harsh and, in some cases, life threatening, due largely to budget constraints. As of mid-December, the prison system, which had an official capacity of approximately 7,400 persons, held 11,491 prisoners. Most prisons were dilapidated and overcrowded. Many of the problems within the prisons resulted not only from obvious overcrowding but also from the lack of separation of inmates according to the type or severity of the crime committed. Pretrial detainees shared cells with sentenced prisoners, in part due to lack of space.

Medical care was inadequate. AIDS, tuberculosis, and other communicable diseases were common among the prison population. Several prisons suffered from water shortages during the year. The European Union funded some legal, medical, and dental staff for prisons, and there was at least one doctor in each major facility. As of November, 15 inmates had died, 8 from AIDS.

In August, a new law that partially reorganized the prison system took effect. The new law gives civil service protection to guards and wardens, some of whom were former political activists who obtained their jobs through political patronage. The law also specifies new procedures to discipline inmates who violate prison rules and for the issuance of work release permits for those who are incarcerated.

There were some minor improvements in the prison system overall, including two orientation sessions for new civilian prison guards, who received courses on inmates' rights and penitentiary procedures. The DGSP announced that it was in the process of hiring some 150 new civilian guards. Other improvements included increased Internet

access and computer literacy training for the first time in some women's prisons, and more opportunities for work and training in prison.

The DGSP largely depended on 1,500 PNP officers to supply both internal and perimeter security at all prisons. There were only 365 civilian corrections officers (or "custodians") for the entire prison system. As a result, regular PNP officers still were used to fill staffing gaps. PNP officers were sometimes untrained for prison duty and found the assignment distasteful, which contributed to tension and abuses within the prison system. Civilian custodians handled inmates within Nueva Esperanza, Tinajitas, and the central women's prison, which used only female officers. El Renacer prison had civilian custodians during daylight hours, after which PNP guards took over. The DGSP did not have authority to discipline prison guards with criminal or civil sanctions; only the PNP disciplinary board could sanction a PNP agent or a custodian.

Abuse by prison guards, both PNP and civilian, was a recurrent problem. Police officials acknowledged that they received and investigated 37 cases during the year; 2 for abuse of authority, 6 for physical mistreatment of prisoners, and 1 for rape.

The main prisons in Panama City included La Joya (a maximum-security facility), Tinajitas, the Feminine Center (women's prison), and the Juvenile Detention Center. One additional facility, El Renacer, held inmates generally accused of less serious crimes. The island penal colony of Coiba, where conditions were particularly harsh, remained open but held only 38 inmates.

In Nueva Esperanza prison in Colon province, both male and female pavilions had separate sections for inmates convicted of administrative felonies, so they were not put together with inmates convicted of violent crimes.

There were prisons of significant size in David, Santiago, and other towns. Small jails attached to local police stations around the country sometimes held prisoners for the entire length of their sentence. The authorities frequently did not address cases of abuse and neglect in these provincial jails, due to their low profile in the prison system.

Throughout the country, conditions at women's prisons and at juvenile detention centers were noticeably better than at adult male prisons. However, female prisoners, especially those in the primary detention area, reportedly suffered from overcrowding, poor medical care, and lack of basic supplies for personal hygiene.

While there was one modern juvenile detention center near Panama City, several juvenile detention centers throughout the country suffered from inadequate resources to provide for education or adequate supervision of children, many of whom spent the majority of their time in a bare cell.

The law and the Penal Code provide for conditional release programs for inmates charged with minor offenses who have served a substantial part of their sentence; however, this provision was not implemented consistently in practice. A conditional release program was part of the organizational reforms that authorities introduced in 1998. During the year, the DGSP provided conditional release forms to the President for her signature in a more timely manner than in previous years.

The Government generally allowed prison visits by independent human rights observers. However, the authorities arranged appointments ahead of time, and monitors generally spoke to prisoners in the presence of guards or administrators. Prisoners expressed fear of retaliation if they complained. Justicia y Paz, the Catholic Church's human rights monitoring group, brought prison abuses to the attention of the authorities.

d. Arbitrary Arrest, Detention, or Exile

The Constitution stipulates that arrests must be carried out with a warrant issued by the appropriate authorities, and the Government generally respected this provision in practice. Exceptions were permitted when an officer apprehended a person during the commission of a crime, or when an individual interfered with an officer's actions. The Constitution also provides that suspects are to be brought promptly before a judge; however, lack of prompt arraignment remained a problem. The law requires the arresting officer to inform the detainee immediately of the reasons for arrest or detention and of the right to immediate legal counsel, to be provided to the indigent by the State (see Section 1.e.). Police arrested and detained children for minor infractions during neighborhood sweeps (see Section 5).

The PNP falls under the civilian authority of the Minister of Government and Justice. There were approximately 15,000 police officers with an estimated total budget of \$160 million. Although its primary mission is law enforcement, the PNP is detailed for prison and border security. The Judicial Technical Police (PTJ), a semiautonomous body with leadership appointed by the Supreme Court, was a separate branch of law enforcement under the Attorney General's Office and performed criminal investigations in support of public

prosecutors. The law providing the legal basis for the PNP includes specific guidelines for the use of force, including deadly force; requires that police officers respect human rights; and prohibits instigation or tolerance of torture, cruelty, or other inhuman or degrading behavior. Although not all PNP personnel were trained in the use of force, the PNP provided more training during the year. Courses on human rights were also included in some police training, including training for border police.

The PTJ and the PNP have offices of professional responsibility that act as internal affairs organs to hold officers accountable for their actions. Both have staffs of independent investigators as well as administrative authority to open internal investigations. In both organizations, a defined legal process is followed in which, upon completion of the process, the respective director of the PTJ or PNP has the final authority to determine the disposition of each case.

The PNP deputy director and the secretary general addressed human rights problems that arose in the police force. The offices of professional responsibility were well known in the community, and the rate of complaints remained generally constant in the PTJ office. During the year, the Office of the Human Rights Ombudsman (known as the Defensoria) also received 52 complaints against the police for abuse of authority (see Section 4). Through late December, the PNP Office of Professional Responsibility received 467 complaints, an average of 9 complaints per week, a decrease from 11 per week in 2002. The office penalized officers in 59 cases for corruption, abuse of authority, burglary, or bribery. Penalties included reduction in rank, and in severe cases, criminal prosecution. There were no dismissals during the year, only administrative sanctions.

The PTJ received complaints from the public, and officers could make anonymous complaints of corruption and other problems. By late November, the PTJ Office of Professional Responsibility had conducted 170 investigations, which resulted in the dismissal of 34 agents. The majority of open cases were for misconduct or improper behavior (47), mishandling official property such as misplacing guns or radios (39), corruption (31), and negligence (19).

Corruption among police officers remained a problem. In some cases, PNP and PTJ directors enforced other disciplinary measures against officers with proven involvement in illicit activities; however, both organizations only reacted to egregious abuses, due to a lack of staff, independence, and institutional priority. In July, there was a high profile case of several incoming PTJ officer candidates caught cheating on the entrance exam. They were dismissed from the exam and barred from reapplying.

The Constitution provides for judicial review of the legality of detention and mandates the immediate release of any person detained or arrested illegally. The Constitution prohibits police from detaining suspects for more than 24 hours without bringing them before a judge. Under the law, the preliminary investigation phase may last from 8 days to 2 months and the follow-on investigation phase another 2 to 4 months, depending on the number of suspects. The courts frequently granted extensions of time limits, leaving those accused in detention for long periods without having been charged formally. The law permits these extensions; however, many legal authorities (including court officials) criticized judges for excessive use of this measure.

Extended pretrial detention continued to be one of the most serious human rights problems, due in part to the elaborate notification phase in criminal cases. According to government statistics, as of November, 6,367 prisoners, or about 55 percent of the prison population, were pretrial detainees. The average period of pretrial custody was 12 months, and pretrial detention in excess of the maximum sentence for the alleged crime was common.

Legal alternatives to prison existed; however, they were not implemented widely. Options such as house arrest were used in some cases involving the elderly or minors but required that the defendants have access to and understanding of their legal options. There was a limited program of work or study in lieu of some sentences.

The Constitution prohibits exile, and there were no reports of forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary was susceptible to corruption and outside influence, including manipulation by other branches of government.

The President appoints nine Supreme Court magistrates to 10-year terms, subject to Legislative Assembly ratification. The Supreme Court magistrates appoint appellate (Superior Tribunal) judges, who, in turn, appoint circuit and municipal court judges in their respective jurisdictions. Judicial appointments are supposed to be made under a merit-based system, but the top-down appointment system lent itself to political influence and undue interference by higher-level judges in lower-level cases in which they often had no jurisdiction.

At the local level, mayors appoint administrative judges, or "corregidores," who exercise jurisdiction over minor civil cases and who hold wide powers to arrest and to impose fines or jail sentences of up to 1 year. In the past, this

system had serious shortcomings: Defendants lacked adequate procedural safeguards; administrative judges outside of Panama City usually were not attorneys; many had not completed secondary education; and some were corrupt. In practice, appeal procedures were nonexistent. The authorities encouraged corregidores to improve their procedures, and the number of local sentences imposed declined from 3,000 to 500 over 3 years. Nonetheless, affluent defendants still tended to pay fines while poorer defendants went to jail, which contributed to prison overcrowding (see Section 1.c.).

A judicial reform program started in 1998 by the Inter-American Development Bank and the Government improved judicial training, strengthened the investigative capabilities of the Attorney General's office, and reduced the civil courts' backlog of cases. The program was scheduled to continue through 2004.

The Constitution provides that persons charged with crimes have the right to counsel, to be presumed innocent until proven guilty, to refrain from incriminating themselves or close relatives, and to be tried only once for a given offense. If not under pretrial detention, the accused may be present with counsel during the investigative phase of the proceeding. Judges may order the presence of pretrial detainees for the rendering or amplification of statements, or for confronting witnesses. Trials were conducted on the basis of evidence presented by the public prosecutor. Under limited circumstances, the law permits trials without the accused being present. The Constitution and the Criminal Procedure Code provide for trial by jury at the defendant's election, but only in cases where at least one of the charges is murder.

The Constitution obliges the Government to provide public defenders for the indigent. However, many public defenders were appointed late in the investigation, after the prosecutor already had evaluated the bulk of the evidence and decided either to recommend trial or to dismiss the charges. Public defenders' caseloads remained extremely high, averaging some 550 cases per attorney per year. Only 5 new public defenders have been hired since 1992; there were 38 nationwide, with a similar number of assistants. This heavy workload undermined the quality of representation, with many prisoners meeting their public defender for the first time on the day of trial. The inadequate number of public defenders also caused a backlog in trial dates, which also contributed to the problem of prison overcrowding.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of the home, private papers, and telephonic communications, and the Government generally respected these rights in practice; however, there were complaints that in some cases, law enforcement authorities failed to follow legal requirements and conducted unauthorized searches.

In an effort to prevent unauthorized searches, the Public Ministry placed a representative, whose job was to approve searches, in each of the PTJ's divisions. The authorities may not enter private residences except with the owner's permission or by written order from the appropriate authority for specific purposes, such as entry to assist the victims of crime or disaster or to conduct lawful health and safety inspections. The authorities may not examine private papers and correspondence, except as properly authorized by competent legal authority and in the presence of the owner, a family member, or two neighbors.

Although the Constitution prohibits all wiretapping, the Government maintained that wiretapping with judicial approval was legal and that the Attorney General may authorize a wiretap when confronted with probable cause in a serious crime. The law allows the Public Ministry to engage in undercover operations, including "videotaping and recording of conversations and telephonic communications." In November 2002, a controversy developed when it was reported that wiretapping took place under presidential authority for alleged national security reasons. The Supreme Court had not issued a final ruling on whether wiretapping was constitutional, but it remained an established practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government sometimes did not respect these rights in practice, and at times the media were subject to political and economic pressure. The Government and public figures made frequent use of libel and "disrespect for authority" laws to confront and attempt to intimidate journalists who allegedly were "irresponsible" or who besmirched the honor of a particular government institution or leader.

There was an active and often adversarial press and a broad range of print and electronic media outlets, including newspapers, radio and television broadcasts, and domestic and foreign cable stations. Five national daily newspapers, 4 commercial television stations, 2 educational television stations, and approximately 100 radio stations provided a broad choice of informational sources; all were privately or institutionally owned except for 1 government-owned educational television station. The law prohibits newspapers from holding radio and television concessions, and vice versa. The media carried a wide variety of political commentaries and other perspectives, both local and foreign.

There was a concentration of control of television outlets in the hands of close relatives and associates of former President Perez Balladares, who was a leader of the largest opposition party. According to a survey of the payment and placement of advertisements by the Government, there were clearly newspapers that were favored, and not based on circulation. During the first 4 months of the year, 40 percent of all government newspaper advertisements were placed with a newspaper with the fourth lowest circulation of the five major dailies, but one that was widely and clearly identified with the ruling party.

Domestic and foreign journalists worked and traveled freely throughout the country. The law requires directors and deputy directors of media outlets to be citizens.

The Government continued to impede, disregard, or otherwise challenge a 2002 "transparency law" that provides public access to information from and about public entities. In June 2002, the President issued an executive decree that limited the law's effect by imposing new and highly cumbersome regulations for those wishing to acquire such public information. Several dozen requests were made under the new law, and most were not honored by the institutions; as of December, of 48 information requests, 15 had not yet been decided, 10 had been granted, and 13 denied. The Ombudsman, Solicitor General, Transparency International, the Electoral Tribunal, and other groups asked that the decree be declared unconstitutional. In 2002, the Solicitor General opined that it was unlawful and asked for a three-member bench of the Supreme Court to review it, which was still under way at year's end.

In August, the Comptroller denied a request of a journalist for the list of public officials who had failed to submit the legally required declaration of assets, and the Supreme Court subsequently upheld that denial. A majority of the Court cited the Moscoso administration's "personal stake" requirement for individuals and the press to obtain such government information.

Also in August, the Supreme Court rejected a request by the Partido Popular political party to review the contract by which a Costa Rican citizen was hired as an aide to the Ministry of the Presidency. The judges held that since the requestor had no "personal stake" in the appointment, he had no right to know about it.

A 1999 law eliminated "gag laws" dating from the military dictatorship; however, legal actions against many journalists remained pending, and vestiges of the former gag laws still provided a means for charging journalists with defamation. The IACHR, the Inter-American Press Association, Reporters Without Borders, and other groups criticized these measures as efforts to censor the press. The domestic media faced increased pressure during the year from elements in the Government for criticizing policies or officials. As of December, the Ombudsman reported 80 active cases of journalists facing defamation charges brought under the criminal justice system. In 47 completed cases, the courts sentenced journalists in 13 instances; the others were dismissed or the accused found not guilty.

In August, a municipal court dismissed charges brought by the Moscoso administration against four journalists who were reportedly observing and photographing the presidential beach house from a nearby public beach. Presidential guards detained the journalists, confiscated their photographic equipment, brought them onto the presidential compound's grounds, and then charged them with trespassing in a restricted area and attacking the integrity of the state. A judge later ruled that the journalists did not commit a crime.

The press laws provide for the establishment of a censorship board, which monitored radio transmissions and had the authority to fine stations that violated norms regarding vulgar, profane, or obscene language. Despite occasional public protests over the content of radio programs, no stations were fined.

The Government did not restrict access to the Internet.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly, and the Government generally respected this right in practice. No authorization is needed for outdoor assembly, although prior notification for administrative purposes is required. The police generally showed restraint and professionalism while monitoring large protests by students,

political activists, prisoners, and workers; however, police commonly used tear gas against protesters.

There were several public demonstrations during the year. In September, there were large protests and demonstrations in Panama, Colon, David, and other cities regarding the social security system. Police used tear gas and rubber bullets, arrested 20 people, and there were reportedly 14 people injured. However, police generally used restraint.

The Constitution provides for the right of association, and the Government generally respected this right in practice. Citizens had the right to form associations and professional or civic groups. New political parties must meet strict membership and organizational standards to gain official recognition and participate in national campaigns.

c. Freedom of Religion

The Constitution, although recognizing Catholicism as "the religion of the majority of Panamanians," provides for free exercise of all religious beliefs, provided that "Christian morality and public order" are respected. The Government generally respected religious freedom in practice, and there was a broad diversity of religions.

The Constitution prohibits clerics from holding public office, except as related to social assistance, education, or scientific research. However, Catholicism enjoyed certain state-sanctioned advantages over other faiths. For example, the Constitution mandates that Catholicism be taught in public schools, although parents had the right to exempt their children from religious instruction.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. A 9:00 p.m. curfew for unaccompanied minors in the Panama City area remained in effect, although enforcement generally was lax.

The law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. A 1998 decree grants protection to all persons entering the country due to "state persecution based on race, gender, religion, nationality, social group, or political opinion." The decree grants 2 months' temporary protection to "displaced persons" in the case of a large influx. The U.N. High Commissioner for Refugees (UNHCR) criticized the decree because it put persons at risk for forced repatriation within a few weeks of entering the country, without analysis of their possible refugee status. In practice, the Government did not enforce the 2-month time limit. Some Colombians have lived in the country for years without formal refugee status. According to the UNHCR, there were about 1,000 Colombians under temporary protective status in the country.

Large groups of displaced persons periodically fled violence in Colombia by crossing the border into Panama. The Government offered Colombians the chance to participate in a voluntary repatriation program in coordination with the Government of Colombia, and many agreed to return. The Government, along with the UNHCR, the Catholic Church, and NGOs provided displaced Colombians with food, medical care, and access to public services, including schools and clinics. The Government provided these services in Jaque and other areas of the Darien. However, many displaced Colombians living in the remote Darien border area were beyond the reach of organized assistance from the Government or other groups.

In April, the Government repatriated 109 Colombians living in the border town of Punusa. The Government claimed that this group was infiltrated by the FARC and asserted that military and communications equipment was found among the group. The Panamanian and Colombian Ombudsmen, the UNHCR, and human rights groups called the operation a forced repatriation and said that the Government violated the 1951 and 1967 U.N. conventions.

In mid-December, the Government together with the Colombian Government and the UNHCR successfully conducted a voluntary and transparent repatriation of 85 Colombians from Jaque.

The 1998 decree contains provisions for temporary protection, but the Government's Refugee Commission did not meet during the year and reviewed no cases. The Government improved cooperation with the office of the UNHCR and other humanitarian organizations in assisting refugees. However, the Government generally was reluctant to classify displaced Colombians as refugees because of historic ties and the amount of movement between border communities. The UNHCR regularly visited the country to monitor and to aid displaced Colombians. In September, the UNHCR and Government of Panama formally agreed on an arrangement that would allow the UNHCR to have a 6-month official presence.

The authorities continued to refuse entry to many Colombians who arrived by air and could not show that they had at least \$500.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens freely exercised this right in the 1999 general elections. The Constitution provides for a representative democracy with direct popular election by secret ballot of the President, two vice presidents, legislators, and local representatives every 5 years. Naturalized citizens may not hold certain categories of elective office. The independent Electoral Tribunal arranges and supervises elections. While the Constitution provides for independent legislative and judicial branches, the executive dominated in practice. The Government respected the rights of its citizens to join any political party, propagate their views, and vote for candidates of their choice.

In May 1999, Arnulfista presidential candidate Mireya Moscoso defeated Democratic Revolutionary Party (PRD) candidate Martin Torrijos and Christian Democratic Party candidate Alberto Vallarino, winning 44.8 percent of the popular vote. Domestic and international observers characterized the elections as generally free and fair; however, several local contests were marred by reports of vote buying. Until September 2000, President Moscoso maintained a one-vote majority in the Legislative Assembly, which she lost when the party's coalition realigned. In September 2002, Moscoso's party regained control of the Assembly through an ad hoc coalition that included opposition party legislators.

The country has a strong executive branch, but continued allegations of undue presidential influence over the judiciary on electoral matters during the year remained unsubstantiated by indictments or convictions. The Electoral Tribunal has remained fully autonomous, maintaining the integrity of the civil registry and electoral processes.

There were no legal barriers to participation in government or politics by women, members of minorities, or persons of indigenous descent. Mireya Moscoso was the country's first female president. Women held 8 of 71 Legislative Assembly seats. Three women held positions in the 13-member Cabinet, 1 female judge remained on the Supreme Court, and a woman was the director of the Public Registry.

The Government provided semiautonomous status to several indigenous groups in their homelands, including the Kuna Yala, Ngobe-Bugle, Embera Wounaan, Kuna de Madungandi, and Kuna de Wargandi comarcas (reserves). There were dedicated seats for two Kuna Yala legislators in the Legislative Assembly, and three will be added for the Ngobe-Bugle comarca in the 2004 elections. Neither the Madugandi nor the Embera-Wounaan reserve had its own dedicated legislators, but each had a separate governor. In addition to the two Kuna Yala seats, legislators who were Ngobe-Bugle and Embera represented other districts in the Assembly.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of human rights organizations, including both religious and secular groups, operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views, but there were problems in Darien province.

The office of Human Rights Ombudsman received complaints from citizens regarding abuses or violations committed by public servants or government institutions, collected information, confronted accused public institutions or employees, and conducted studies to promote international human rights standards. Although the Ombudsman had no coercive authority, he could confront public institutions and employees with their misdeeds. In 2001, the Legislative Assembly elected attorney Juan Antonio Tejada Espino as Ombudsman for a 5-year term.

During the year, the Ombudsman's Office received 1,697 complaints against the Government. Of this number, 1,611 were against public institutions, and 86 were against businesses operating under a government concession. The Ombudsman opened regional offices, improved its comprehensive web site, and enhanced public access to its services.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits either special privileges or discrimination on the basis of race, birth status, social class, sex, or political views. A 2002 law specifically prohibits discrimination and any kind of "right of admission" to any public or commercial establishment and sets fines from \$250 to \$1,000. However, societal prejudices persisted. Cases of discrimination were difficult to prove, and legal remedies for victims were complicated, time-consuming, and costly. Early in the year, a joint Ombudsman – Panama City investigation revealed that many commercial

establishments continued to openly operate a "right of admission" policy, which discriminated against dark-skinned persons.

Women

Domestic violence against women continued to be a serious problem. The Family Code criminalizes family violence (including psychological, physical, or sexual abuse), but convictions were rare unless a death occurred. As of November, the PTJ registered 1,519 cases of domestic violence during the year, compared with 1,801 during 2002. The PTJ also received 515 cases of rape and 92 cases of attempted rape through November, compared with 506 cases of rape and 99 cases of attempted rape in all of 2002. The Center for Women's Development estimated that victims reported as few as 20 percent of sexual assaults to judicial or law enforcement authorities. Spouses or other family members frequently were the perpetrators. The Foundation for the Promotion of the Woman, among other women's advocacy groups and government agencies, operated programs to assist victims of abuse and to educate women on their legal rights.

Trafficking in women was a problem (see Section 6.f.).

The Labor Code prohibits sexual harassment; however, it remained a problem. Anecdotal evidence suggested that many women were propositioned for sexual favors at the time of their initial job interview.

A 1998 law prohibits discrimination on the basis of sex. The Family Code recognizes joint or common property in marriages. However, insufficient resources hampered government efforts to enforce the code's provisions effectively. According to a Supreme Court justice, 80 family judges were required to handle this caseload; however, only 20 had been appointed due to lack of resources.

The Constitution mandates equal pay for men and women in equivalent jobs, but wages paid to women were on average 30 to 35 percent lower and increased at a slower rate, according to a 2002 study. There were credible reports of irregular hiring practices based upon age and "appearance."

Through the National Directorate of Women and the Center for Gender Training, the Ministry of Women, Youth, Family, and Childhood promoted equality of women in the workplace and equal pay for equal work, attempted to reduce sexual harassment, and advocated legal reforms. A number of private women's rights groups concentrated on disseminating information about women's rights, countering domestic abuse, enhancing employment and other skills, and pressing for legal reforms.

Children

The Government is committed to children's rights and welfare. Education is compulsory through the equivalent of 9th grade, but children did not always attend school due to traditional attitudes, financial considerations of the family, lack of transportation, and insufficient government resources to enforce the requirement. The problem was most extreme in Darien Province and among indigenous groups. The Government furnished basic health care for children through local clinics run by the Ministry of Health, but clinics were difficult to reach from rural areas and often lacked medicine. A central children's hospital in Panama City operated with government funds as well as private donations.

The Ministry of Women, Youth, Family, and Childhood concentrated on child welfare problems such as children begging in the streets and roaming cities at night, infant and child malnutrition, and juvenile delinquency and gangs.

The Superior Tribunal for Minors and Superior Tribunal for Families are judicial authorities charged with overseeing the protection and care of minors. The Minister of Women, Youth, Family, and Childhood acted much like an ombudsman, and the office proposed and reviewed laws and monitored government performance. Through November, the PTJ registered 327 cases of child abuse and neglect, compared with 224 through November 2002. Sexual abuse, including incest, accounted for 131 of the cases. Lack of reporting remained a problem, often because of parental involvement or complicity. Sexual abuse of children was reported in both urban and rural areas, as well as within indigenous communities. Neglect of children also was a problem. Malnutrition and inadequate medical care were generalized problems, most severe among rural indigenous groups.

Inadequate resources and training available to the family courts continued to result in controversial decisions, including cases in which children were returned to abusive situations. Juvenile courts continued to report a high incidence of juvenile delinquency in major urban areas. The authorities reported a continued increase in such crimes as drug trafficking, armed robberies, kidnappings, car thefts, and murders attributed to juveniles. Youth participation in criminal gangs was an increasing problem. Police arrested and detained children for minor

infractions during neighborhood sweeps.

Child labor and trafficking in children were problems (see Sections 6.d. and 6.f.).

Persons with Disabilities

There were an estimated 50,000 persons in the country with various disabilities. The Ministry of Education was responsible for educating and training minors with disabilities, while the Ministry of Women, Youth, Family, and Childhood protected the rights of adults with disabilities. Children with disabilities traditionally were separated from the general population; however, the law requires schools to integrate children with special needs into the student body, and this law generally was enforced. The law also mandates that new or remodeled public spaces be accessible to persons with disabilities.

The Ministry of Labor was responsible for placing workers with disabilities in suitable jobs. Placement remained difficult despite a 1993 executive order granting tax incentives to firms that hire disabled employees. Persons with disabilities also tended to be paid less than employees without disabilities for performing the same job.

Panama City's building code requires that all new construction projects be accessible to persons with disabilities, with fines from \$100 to \$500 for noncompliance. A national law with similar requirements for new construction projects generally was enforced. Awareness of disability issues has increased, and commercial establishments increasingly provided and enforced handicapped parking spaces. However, basic services such as handicapped-accessible sidewalks and bathrooms were largely unavailable.

Indigenous People

The Constitution protects the ethnic identity and native languages of indigenous people and requires the Government to provide bilingual literacy programs in indigenous communities. Indigenous people have legal rights and take part in decisions affecting their lands, cultures, traditions, and the allocation of natural resources. Indigenous people numbered approximately 229,000 (8 percent of the population) and had the same political and legal rights as other citizens. There are indigenous reserves for five of the country's seven native groups, including the Embera-Wounaan, Ngobe-Bugle, and Kuna. Tribal chiefs govern each reserve. The much smaller Bri-Bri (1,500 members) and Naso (2,800 members) tribes, residing near the border with Costa Rica, did not have officially recognized enclaves.

The Ministry of Government and Justice maintained an Office of Indigenous Policy. Federal law is the ultimate authority on indigenous reserves, but local groups had considerable autonomy. For example, the Government recognized traditional indigenous marriage rites as the equivalent of a civil ceremony. Laws protect intellectual property rights of indigenous artwork and establish regulations for artisan fairs. Despite legal protection and formal equality, indigenous people generally had higher levels of poverty, disease, malnutrition, and illiteracy than the rest of the population. The poverty rate among the entire indigenous population was estimated between 85 and 96 percent, depending on the group. Discrimination against indigenous people was widespread.

Although their population suffers from poverty and malnutrition, Kuna leaders have succeeded in enforcing their territorial boundaries and maintaining their cultural integrity. There were two Kuna-Yala legislators (see Section 3). Other indigenous groups had not succeeded in using their autonomy to preserve their culture or develop economic independence. Most lived in extreme poverty and isolation.

Since indigenous populations infrequently mastered Spanish and were unfamiliar with the legal system, they often misunderstood their rights and failed to employ legal channels when threatened. The problem was exacerbated by government inattention to indigenous problems. For example, many Embera-Wounaan in the Darien were forced out of their reserves due to encroachment by settlers, loggers, and Colombian immigrants. The Ngobe also were under threat due to the isolation of their reserves, encroachment by settlers, and generalized poverty. Indigenous workers consistently did not receive the basic rights provided by the Labor Code, such as minimum wage, social security benefits, termination pay, and job security. Indigenous laborers in the country's sugar, coffee, and banana plantations worked under worse conditions than their nonindigenous counterparts. Indigenous migrant workers were unlikely to be provided with housing or food, and their children were much more likely to work long hours of heavy farm labor than nonindigenous children (see Section 6.d.).

Land disputes in Darien Province between and among indigenous groups, farmers and peasants, and Afro-Panamanians escalated during the year, sometimes resulting in violent confrontations.

National/Racial/Ethnic Minorities

The country is racially diverse, and minority groups generally have been integrated into mainstream society with overall success; however, discrimination against the country's newer immigrants, especially Chinese, sometimes was overt. There were an estimated 150,000 to 200,000 persons of Chinese descent or admixture. Cultural differences and language difficulties hindered and possibly prevented many Chinese immigrants from fully integrating into mainstream society. In addition, Panamanians often resented Chinese immigrants. Racial slurs directed at Asians were used openly among the general population, and substantial numbers of first generation resident Chinese frequently were treated as second-class citizens. However, second and third generation Chinese were seen as distinct from recent immigrants and generally were accepted in society.

Middle Eastern and Indian residents, like the Chinese, also suffered from racially motivated discriminatory treatment. All three groups often worked in the country's retail trade, particularly in urban areas. Legal and illegal immigrants, especially Chinese, were accorded fewer legal protections than were citizens for their trade activities. A constitutional provision reserving retail trade for Panamanian citizens was not enforced in practice; however, immigrants legally could not own their businesses and sometimes encountered bureaucratic difficulties in practicing their professions.

Racism against blacks occurred, although it generally was expressed in subtle terms. Afro-Panamanians made up about 14 percent of the population and mixed black and mestizo accounted for about 40 percent; however, blacks were conspicuously absent from positions of political and economic power. The clustering of Afro-Panamanians in the economically depressed province of Colon and poorer neighborhoods of Panama City heightened their isolation from mainstream society.

Black canal workers traditionally commanded significantly greater financial resources compared with blacks elsewhere in society, but many retired or emigrated, and there was some anecdotal evidence that the rest were being replaced by white personnel.

Mainstream political elites generally were unconcerned by the economic and social problems of black populations and a concomitant rise in drug use, crime, and gang violence. The country's white elite successfully marginalized citizens with darker skin through preferential hiring practices in the private sector and manipulation of government resources in the public sector. The predominantly Afro-Panamanian city of Colon, the country's second largest city, suffered from a conspicuous lack of government services.

Racial discrimination against all ethnic groups was evident in the workplace. In general, light-skinned persons were represented disproportionately in management positions and jobs that required dealing with the public (such as bank tellers and receptionists).

Section 6 Worker Rights

a. The Right of Association

Private sector workers had the right to form and join unions of their choice, subject to the union's registration by the Government. The Labor Code establishes the minimum size of unions at 40 workers and permits only one union per establishment. The code provides that if the Government does not respond to a registration application within 15 days, the union automatically gains recognition with all rights and privileges under the law. Employees of small companies may organize under a larger umbrella group of employees with similar skills and form a union as long as they number at least 40. In 1997-98, the International Labor Organization (ILO) criticized this 40-person limit and asked the Government to change it, with no response. The code also allows labor leaders to keep their union positions if fired from their jobs.

In August, the Government announced that it had fully complied with a 2001 ruling by the Inter-American Court of Human Rights that found the firing in 1990 of 270 public sector electricity and telecommunications workers to be improper, and said it had made final payments to the claimants. The claimants and the Court disagreed and said that the Government still owed a substantial amount of back payments and fines.

Approximately 10 percent of the total employed labor force was organized. There were 341 active unions, grouped under 39 federations and 10 confederations representing approximately 130,000 members in the private sector. Neither the Government nor political parties outwardly controlled or financed unions; however, the Government and political parties exercised political, ideological, or financial influence over some unions. The labor sector traditionally supported the PRD.

The Civil Service Law permits most government workers to form public employee associations and federations and establishes their right to represent members in collective bargaining with their respective agencies. However, the law has proven insufficient to protect the country's 150,000 government workers, because only a small percentage

were career members of the administrative civil service and therefore enjoyed job security. The ILO's Committee of Experts has observed for some years that the prohibition of public servants' associations is inconsistent with the country's obligations under ILO Convention 87.

Union organizations at every level may and do affiliate with international bodies.

b. The Right to Organize and Bargain Collectively

The Labor Code provides most workers, including all private sector workers, with the right to organize and bargain collectively, and unions exercised it widely. The law protects union workers from antiunion discrimination and requires employers to reinstate workers fired for union activities. The Labor Code establishes a conciliation board in the Ministry of Labor to resolve labor complaints and provides a procedure for arbitration.

The Civil Service Law allows most public employees to organize and bargain collectively and grants some of them a limited right to strike, except for those in areas vital to public welfare and security, such as the police and health workers. At least 50 percent of the workforce must continue to work to provide minimum service. While the right to strike applied to some of the 10,000 career members, it did not apply to the approximately 140,000 other government workers. Public workers formed a union, but it had very limited rights and could not strike or bargain collectively.

The law governing the autonomous Panama Canal Authority prohibits the right to strike for its 9,200 employees, but does allow unions to organize and to bargain collectively on such issues as hours and safety.

There were some strikes and protests during the year, especially in the banana and construction industries. None of the strikes led to widespread violence.

Employers commonly hired temporary workers to circumvent labor code requirements for permanent workers. Temporary workers were excluded from social security benefits, job security, and vacation time. In lower-skilled service jobs, employers often had some employees under "3-month contracts" for years, sometimes sent such employees home for a month, and then rehired them. Employers also circumvented the law requiring a 2-week notice for discharges by laying off some employees 1 day before the 3-month time period expired, or 1 week before a holiday. In addition, due to labor laws that made it difficult to fire employees of 2 years or more, it was not uncommon to hire workers for 1 year and 11 months and then to lay them off.

Labor law requires companies to submit copies of all labor contracts for permanent workers to the Labor Ministry for review to ensure compliance and requires the Labor Ministry to conduct periodic inspections of the work force. The Labor Ministry may levy fines against companies not in compliance with the law; however, these measures proved ineffective in practice. According to union sources, the practice of "blank" contracts that did not specify starting dates, in order that the employer could avoid longevity issues, was becoming more widespread.

Over the past 6 years, the Government issued cabinet decrees that precluded effective organization of unions in export processing zones (EPZs), including by restricting strikes and permitting direct negotiations with selected workers who were already represented by a union. Unions asserted that this latter practice resulted in negotiations with employee groups that were dominated by employers. There were no collective bargaining contracts in the EPZs. The law requires mandatory arbitration of disputes, and it allows for the participation of an unrepresentative worker delegate in the tripartite (government, labor, and industry) arbitration commission. A strike is considered legal only after 36 workdays of conciliation were exhausted; otherwise, striking workers could be fined or fired. A 1998 ILO ruling noted that this regulation did not mention arbitration or specify procedures to resolve disputes in the courts and called on the Government to amend the EPZ labor regulations to conform with international norms; however, the Government did not make any changes in response to the ruling. Minimum wage provisions did not apply in the EPZs, and wages were usually lower, an incentive cited to attract investment in the EPZs.

c. Prohibition of Forced or Bonded Labor

The Labor Code prohibits forced or bonded labor by adults and children; however, trafficking in women and children was a problem (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code prohibits the employment of children under 14 years of age with some exceptions, and also prohibits the employment of children under age 15 if the child has not completed primary school. However, a 2000 government report estimated that 27,000 children between the ages of 12 and 14 work, and child labor was a

problem in some provinces and some economic sectors.

Children under age 16 legally cannot work overtime, and those under age 18 cannot work at night. Children between the ages of 12 and 15 may perform light farm or domestic work, with the authorization of the Labor Ministry, as long as it does not interfere with their schooling. Many children reportedly worked on rural coffee and sugar plantations, as well as in the informal sector of the economy. The Labor Code provides that children between the ages of 14 and 16 may work 6-hour shifts per day that do not exceed 36 hours a week. The Labor Code includes a prohibition on employment of minors under the age of 18 in hazardous labor. The Ministry of Labor enforced these provisions in response to complaints and could order the termination of unauthorized employment. The Government acknowledged that it was unable to enforce some child labor provisions in rural areas, and it conducted only limited inspections, due to insufficient staff.

Child labor violations occurred most frequently in rural areas, during the harvest of sugar cane, coffee, bananas, and tomatoes. Farm owners usually paid according to the amount harvested, leading many laborers to bring their young children to the fields to help with the work. In many small rural communities, the entire able-bodied population participated in the harvest, and parents were not willing to leave their children behind unattended. Many children also were involved extensively in subsistence agriculture producing coffee and sugar; they worked with their families or were employed by independent plantations.

The problem of child labor in agricultural areas fell most heavily on indigenous families, who often were forced to migrate out of their isolated reserves in search of paid work (see Section 5). These frequent migrations not only interrupted schooling but also left the family vulnerable to sometimes unscrupulous contractors. The Government claimed that due to insufficient staff, it was unable to enforce child labor provisions in rural areas such as in the coffee and banana plantations near the border with Costa Rica, where government resources were especially scarce, and children faced difficult conditions (see Section 6.e.).

Urban supermarkets used an estimated 1,500 children who bagged groceries for tips. Some of the children were as young as age 9, and many of them worked late hours, in violation of the Labor Code. Some supermarket managers claimed that the children actually were not employed by their firm, despite the fact that "baggers" conformed to schedules, wore uniforms, complied with company codes of conduct, and took orders from managers as if they were direct employees. The Government failed to act to reduce the general problem of urban child labor and did not challenge the larger supermarket chains where large numbers of children worked. Urban child labor problems also included children working as street vendors or performers, washing cars, and running errands for businesses or local criminal groups.

e. Acceptable Conditions of Work

The Labor Code establishes minimum wage rates for specific regions and for most categories of labor. The minimum wage ranged from \$0.80 per hour to \$1.50 per hour, depending on the region and sector. This wage was not sufficient to provide a decent standard of living for a worker and family. In August, the Government raised the base minimum wage by an average of 4 to 5 percent, depending on sector, region, and company size as part of a legally required review of the minimum wage. Public workers do not fall under the Labor Code and were not included in the group of beneficiaries. Most workers formally employed in urban areas earned the minimum wage or more; however, about one-third of the population worked in the large informal sector and earned far below the minimum wage. This was particularly the case in most rural areas, where unskilled laborers earned \$3 to \$6 per day, without benefits; the Government did not enforce labor laws in most rural areas. The minimum wage did not apply in the EPZs (see Section 6.b.).

The Labor Code establishes a standard workweek of 48 hours and provides for at least one 24-hour rest period weekly.

The Ministry of Labor is responsible for enforcing health and safety standards and generally did so. The standards are fairly broad and generally emphasize safety over long-term health hazards. Inspectors from both the Labor Ministry and the occupational health section in the Social Security Administration conducted periodic inspections of hazardous employment sites and responded to complaints; however, the Government failed adequately to enforce health and safety standards. Construction workers and their employers were notoriously lax about conforming to basic safety measures. In rural areas, the most severe lack of oversight in basic safety measures occurred in the banana industry, where poisoning by chemical agents was a recurrent problem. Workers complained of sterility and of adverse skin conditions as a result of exposure to the chemicals. In several plantations, indigenous workers were not provided with shelters, sanitary or cooking facilities, or fresh water; they also did not have machetes or gloves for their work. Complaints of health problems also continued in the cement and milling industries.

The law protects from dismissal workers who file requests for health and safety inspections. Workers also have the right to remove themselves from situations that present an immediate health or safety hazard without jeopardizing

their employment. They generally were not allowed to do so if the threat was not immediate but may request a health and safety inspection to determine the extent and nature of the hazard.

f. Trafficking in Persons

The law prohibits trafficking in women and children, but trafficking in persons was a problem. NGO reports and government officials had credible evidence of the problem; however, its magnitude was difficult to determine because the country is a transit point for illegal economic migrants who were not forced into prostitution or debt bondage but used similar smuggling routes.

The Penal Code prohibits trafficking in women and children. Statutory limitations, including the need for a complaint for an investigation to be initiated, hampered the effectiveness of the Sex Crimes Unit within the PTJ and other government agencies. Limited financial and material resources, few formal education programs, and lack of victims' programs diminished the Government's efforts to combat trafficking. A comprehensive enhancement of the Penal Code that included stronger penalties, better legal definitions of trafficking and pornography, and enhanced investigations was proposed but had not been passed by the Legislature at year's end.

In August, Xiomara Hubbard, also known as Madame Tonya, received a 3-year prison term for her role in promoting underage prostitution but was released pending appeal. Two accomplices were sentenced to 3 years and 2 years and 3 months, respectively. There were four other formal investigations, and one case was transferred to the State Prosecutor's office for prosecution. Information sharing between the Government and neighboring countries is limited, but the PTJ received leads from Interpol.

Panama is a destination country for trafficked women. There was little evidence that children were trafficked to or from Panama. Colombia was the primary country of origin, followed by the Dominican Republic. Many Colombian women came to work legally, knowingly, and temporarily as escorts ("alternadoras") in clubs and massage parlors. The police reported that some Colombian women were trafficking victims in that their freedom of movement may be limited, and they were forced to pay off large contractual debts. Approximately 450 alternadora visas were granted during the year. Women from countries other than Colombia are not eligible for this visa. The number of Dominicans who were trafficking victims was unknown; many came willingly to the country apparently intending to become prostitutes. Anecdotal evidence suggested that some were forced, against their will, to continue as prostitutes.

Panama was a transit point for Colombian sex workers in other Central American countries and the United States. Some of these women were assumed to be trafficking victims, but evidence of total numbers was lacking. Alien smuggling was a more prevalent problem. Most smuggled aliens were Chinese and Indians who arrived from Ecuador or Peru in route to the United States. There was limited anecdotal evidence that some were trafficked for debt bondage.

The PNP and the Immigration Department conducted raids every 2 to 3 months on bars and brothels and deported an estimated total of 125 foreigners for working in illegal prostitution. Few of the deportees were minors. Immigration officials also conducted ad-hoc investigations and raids based on tips and other leads but did not work cooperatively with the PTJ Sex Crimes Unit.

Commercial sexual exploitation of minors was a problem. ILO studies indicated there were at least 100 minors who were victims of commercial sexual exploitation. Commercial sexual exploitation was primarily an internal issue, and there was limited evidence of international trafficking networks of minors to or through Panama. NGOs and government efforts in prevention and education were limited by lack of resources, legal technicalities, and coordination problems.